Service Date: January 12, 1995

FINAL ORDER NO. 6354

DEPARTMENT OF PUBLIC SERVICE REGULATION MONTANA PUBLIC SERVICE COMMISSION

1701 Prospect Avenue, P.O. Box 202601 Helena, Montana 59620-2601

IN THE MATTER OF Johnnie M. Cook)		
dba Lincoln County Medical Transport,)		
Troy, Montana, application for a)		Docket No. T-94.105.PCN
Montana Intrastate Certificate)	Order No. 6354
of Public Convenience and Necessity.)		

The Commission, being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

- 1. On November 17, 1994, Johnnie M. Cook dba Lincoln County Medical Transport, P.O. Box 1049, Troy, MT 59935, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing transportation of the following:
 - <u>Class B</u> Nonemergency medical and psychiatric patients to and from medical appointments at health care facilities within the following counties: Flathead, Lake, Lincoln, Missoula, and Sanders. Limitations: Transportation must originate or terminate in Lincoln County.
- 2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public December 1, 1994. That notice said in pertinent part:

If no written protests are received by December 21, 1994, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

- 3. No protests or responses of any kind were received.
- 4. The record of this application is available for inspection at the Public

Service Commission Office, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

- 1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.
- 2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.
- 3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 1701 Prospect Avenue, Helena, Montana, on the 3rd day of January, 1995, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-94.94.105.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of Johnnie M. Cook dba Lincoln County Medical Transport, Troy, Montana for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

<u>Class B</u> - Nonemergency medical and psychiatric patients to and from medical appointments at health care facilities within the following counties: Flathead, Lake, Lincoln, Missoula, and Sanders. Limitations: Transportation must originate or terminate in Lincoln County.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by first class mail to the applicant and all parties herein.

THE FOREGOING ORDER was adopted by the Department of Public Service

Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 3rd day of January, 1995, by a vote of 5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

NANCY McCAFFREE, Chair	
DAVE FISHER, Vice Chair	
BOB ANDERSON, Commissioner	
DANNY OBERG, Commissioner	
ROR ROWE. Commissioner	

ATTEST:

Kathlene M. Anderson Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.